North Central Regional Transit District
Board Meeting
Friday, February 10, 2012

CALL TO ORDER:

A regular meeting of the North Central Regional Transit District Board was called to order on the above date by Chair Rosemary Romero at 1:00 p.m. at the Senior Center, Santa Clara Pueblo, New Mexico.

1. **Pledge of Allegiance**

2. **Moment of Silence**

3. **Roll Call**

Roll call indicated the presence of a quorum as follows:

Members Present:	**Elected Members**	**Alternate Designees**
Los Alamos County	Councilor Geoff Rodgers	Ms. Anne Laurent
Taos County	Commissioner Dan Barrone	Mr. Jacob Caldwell
Santa Fé County	Commissioner Kathy Holian	
Rio Arriba County	Commissioner Barney Trujillo	Mr. Tomás Campos
Ohkay Owingeh		
Pojoaque Pueblo		
San Ildefonso Pueblo		
Santa Clara Pueblo		Ms. Mary Lou Valério
Tesuque Pueblo		

City of Santa Fé	Councilor Rosemary Romero	Mr. Jon Bulthuis
City of Española	Councilor Robert Seeds	

Staff Members Present

Ms. Cynthia Halfar, Executive Assistant
Mr. Tony Mortillaro, Executive Director
Mr. Mitch Davenport, Facility Manager
Mr. Peter Dwyer, Counsel for NCRTD
Ms. Kelly Muniz, Financial Director
Mr. Ivan Guillen, Regional Manager

Others Present

Ms. Ernestina Trujillo, NMDOT [telephonically]
Mr. Andrew Martínez, Rio Arriba Planning and Zoning Staff
Mr. Andrew Jandáček, Santa Fé County Staff

4. Introductions

Those present introduced themselves.

Chair Romero thanked Ms. Valério for hosting the meeting and for providing the great facility.

5. Approval of Agenda

Commissioner Holian moved to approve the agenda as presented. Commissioner Barrone seconded the motion and it passed by unanimous voice vote.

6. Approval of Minutes for January 6, 2012

Ms. Valério moved to approve the minutes for January 6, 2012 as presented. Chair Romero seconded the motion and it passed by unanimous voice vote.

7. Public Comments

There were no public comments.

ACTION ITEMS FOR DISCUSSION/APPROVAL:

A. Mid-Year Budget Review and Adjustment to 5316 Funding as Recommended from the NCRTD Finance Subcommittee

Ms. Muniz reported the NCRTD received some funding from NMDOT. In past years they budgeted it on the state FY but now were on the federal FY. It was not really an increase but it needed the Board's approval for $77,978 for July, August and September before the October funding and to reduce the October funding by the same amount.

Mr. Mortillaro said the actual action to modify the budget was under the resolution (following item) The Finance Committee reviewed it and recommended approval.

Ms. Muniz went through the Mid-year Review. She then reviewed the budget figures and explained the variances.

Councilor Seeds asked about the training amount on page 2 at the bottom of the page.

Ms. Muniz explained that was for administrative training and there was a separate training amount under operations.

Commissioner Holian asked about the low amount on federal grant expenditures.

Ms. Muniz explained that it was a timing issue and expenditures for which she had just requested were reflected in January figures.

Mr. Mortillaro added that they had a revolving capital fund of about $700,000 and if expenses exceeded revenue because of awaiting reimbursements, they had 180 days to pay it back. That allowed them to take into account the federal reimbursement procedures.

B. Approval of Resolution 2012-04: FY 12 Budget Increase for 5316 Funding

Councilor Seeds moved to approve Resolution 2012-04. Commissioner Barrone seconded the motion and it passed by unanimous voice vote.

C. Approval of Resolution 2012-05: FY 12 Budget Increase for the Jim West Transit Center

Mr. Mortillaro explained that this resolution was the result of the February 1st discussion around construction of the Jim West Transit Center and the budget adjustment request including add alternates. Those present approved the change and this would approve the resolution to send to DFA.

Commissioner Barrone asked him to explain what took place because some people present here were not at that meeting.

Mr. Mortillaro said he shared the current status of the project on February 1 and the budget adjustment needed for the soil condition and their proposal for the add alternates based on a modified design. They explored the Roadpacker option and the Board recommended not using that product.

The adjustment also included the added funds needed to complete Silkey Road and the bus parking area. Those had to be completed in order to utilize the building.

Since that meeting, he and Mr. Davenport met with the Española City Manager and with their Planning Director about the reimbursement agreement for future developers there who would have the benefit of the NCRTD investment in the road without having to pay. So the RTD would get reimbursed for other developments on that roadway. The City Manager was open to that and asked him to present an agreement for City Council consideration. He anticipated completing that by the end of February to present to their City Council.

He also asked Stoven Construction to consider lowering the price on that change order. They would meet next week. If that wasn't favorable, based on the Board's direction, they would seek to modify that contract and have it as a separate project. They still planned to bid out Silkey Road and the bus parking without a change order with the contractor.

Councilor Seeds apologized for not being there. He was out of state. He felt they went over and above in their responsibility and should have known about those things. We tested the soil samples and had to deal with things at the last hour that the contractor should have known months ago. He wondered if they were trying to make up for a low bid.

Mr. Mortillaro had a similar concern whether the change order was padded to make it up. That was a reason he came to the Board at the last meeting. He had asked Mr. Davenport to estimate the cost for doing that work so he would have a bench mark on it if they went out for bids to have it done. They wouldn't fully know if that was market rate until they went to find out. He asked for authority to negotiate with Stoven Construction for a reasonable cost and authority to modify the contractual relationship with them. And if not, to have Stoven finish the last 5% and then the RTD would find someone else to do the rest of the work.

The add alternates were never part of the original budget. Mr. Stoven gave a price and we had to find money to do them. But when the design changed, the add alternates did too so they would bid those separately and hope the market would be favorable. Stoven Construction was testy about it when he asked how he would know it was a fair price and did not like their answer.

As a result it would take more time. Likely they wouldn't get into the building until May or later but with only $2,400/month rent in Santa Fé it would work out. The new utilities would be about that amount. So there would be changes in budget when they got into the new building. It was a steel building and not as well insulated as it should be.

Councilor Seeds commented that they needed to save as much money as possible. At the Pojoaque meeting there were concerns about rebidding it. In his experience on the city council it always seemed to come at the last minute. Stoven Construction could bid on it.

Mr. Mortillaro agreed. He just needed to be assured of the legal issues to not get into unnecessary litigation. Mr. Dwyer was on top of that.

Chair Romero added that they had an executive session on that at the last meeting to make sure the Board was on top of the legalities in the contractual area. So staff was proceeding as cautiously as possible.

Mr. Dwyer said in general at the end of the contract when people were not happy, they tended to get drawn into possible litigation. Usually it was the contractor asking "how much more money are you going to give me." Our answer was none.

There could come a time when some demands get made and we would have to know our legal position at that time. We have good grounds for altering things with the contractor. Mr. Mortillaro and Mr. Davenport were working on it. He hoped Stoven would reduce the cost for the change order.

Commissioner Trujillo questioned being able to occupy by the end of May.

Mr. Mortillaro explained that construction was 95% completed on the inside. But the HVAC units could not be installed without concrete pads so the soils had to be done right before that. Those units wouldn't be installed until the site work was done. It was obviously a night and day transformation now and the image it presented to the public. But that site work would take time. They had to dig out soil and move it off site and move in the new product. It was several acres.

Commissioner Trujillo knew the soils were messed up but in his opinion it should just be paved and then deal with pop ups. This project has taken quite some time now.

Mr. Mortillaro agreed that not much had been done on the exterior. Going out to bid would add as much as 60 days. Those who were on the board at the time would remember they had to do the bids three times so they wanted to make sure this time that the specifications were correct.

Mr. Mortillaro explained that they couldn't just pave it with asphalt because the vehicles were heavy and would just sink. The contractor couldn't put his equipment on the lot because there was no stable base there. They would want to be excused from any liability if we did that.

Commissioner Holian moved to approve Resolution 2012-04. Commissioner Barrone seconded the motion and it passed by majority roll call vote with Los Alamos County, Rio Arriba County, Taos County, Santa Fé County, Santa Clara Pueblo and City of Santa Fé voting in favor and City of Española voting against.

D. Demand Response and Para-Transit Service Expansion, as Recommended from the NCRTD Finance Subcommittee

Mr. Guillen presented this matter to the Board. The Board approved paratransit service on June 15, 2011 and staff members were asked to explore expansion of those services. It was heard at the last Finance Committee meeting.

Our demand response services provide service within a 15 mile radius from the Española parking lot in Rio Arriba County. The City had a 5 mile radius before the RTD took over and Rio Arriba County did 15 miles. So Board felt 15 miles was proper.

Those areas not served by routes in the city were demand response areas. The RTD also provided transit for Pojoaque students living in Española to take them to Arroyo Seco. He explained that the RTD could not provide school bus service but was open to the general public. That was the only demand response provided in Santa Fé County and the only one in the Santa Fé County service plan.

Currently demand response boundaries were from the northern end of Velarde and Rio Chama to CR 140. So when people requested service in that area they allowed 30 minutes for the driver to get there. There was a consistent rider from the Velarde Apple Shed. It costs about $50 to pick up and deliver the rider. Southern Rio Arriba County was in the 15 mile boundary so the boundary included San Pedro and La Mesilla. So they understood the costs involved.

The Finance Committee recommended expansion of para-transit service to La Puebla area up to three quarters of a mile from the route. Only in Chimayó did they have one outside of that limit. About a half square mile area was not served. Most of customers were twice a week. It would impact the budget $5,027 per year. The Board recommended including that in the 2013 budget.

Chair Romero said the recommendations were on page 4 of the memo. It was to approve serving the La Puebla community until doing the plan for 2013. The other recommendation was that the service area not be expanded further.

Commissioner Holian asked how demand response worked.

Mr. Guillen explained that the request had to be made at least on the day before and staff scheduled it. The rider paid $1 at the curb or $2 from on their property.

Councilor Seeds asked if they were getting the calls anticipated.

Mr. Guillen agreed. We seldom went to the 15 mile boundary. Usually up to 10-11 miles was the farthest. There were about 1,600 riders cumulative.

Councilor Seeds asked if it was over or under budget.

Mr. Mortillaro explained that the budget lumped it together. The recommendation for 2013 was to include funding for the expanded service.

Councilor Seeds thought they needed to offer those services to as many as possible. We want to have support of the communities that were served.

Chair Romero noted that they were up for renewal of GRT in 2023. They projected a cost for service to Edgewood and were over budget there so Santa Fé County was paying the amount that was over the budget.

In the 2013 budget the Board could look at what services were provided and at possible expansion of them. An article in New Mexican indicated people were using them more and more.

Mr. Martínez said he and his son utilized the bus heavily. His son went to Pojoaque and asked if they could have an alternative payment option (such as monthly).

Chair Romero said they had looked for alternative forms. They didn't have card swipes yet. As the organization changed, maybe they could have one.

Mr. Martínez added that the on-demand service there was high already. He asked how much more it would take to make it a fixed route.

Chair Romero explained that the school district was supposed to provide transportation. The RTD would do an orientation in the spring and that might be a good time to do it.

Page four had the two recommendations.

Commissioner Holian moved to adopt both recommendations of the Finance Committee. Councilor Rodgers seconded the motion and it passed by unanimous voice vote.

E. Approval of Resolution 2012-06: Adoption of the NCRTD Fuel Card Policy

Mr. Mortillaro reminded the Board that at the January meeting the Board requested this policy. The document was a policy statement regarding the use of fuel cards. It needed a more detailed policy statement on the administrative end.

Mr. Guillen presented the details of the policy. The fleet card used a contract by New Mexico General Services. Cards were assigned to vehicles instead of to drivers and every driver would have an identification #. The minivans and vans fit through a self-service car wash and the cards could be used for that. The NCRTD Finance Department would audit the fuel card use at month end.

Chair Romero strongly suggested the Board take a stance on this.

Councilor Rodgers asked if the RTD was using this now.

Mr. Mortillaro said they currently were using Right Express but it might change in the future. Once staff moved into the new facility the Board could consider installing our own fuel facility and get bulk gas more cheaply. The cards would still be needed for Santa Fé and Taos. He also talked with the City of Santa Fé and might be able to fuel at their facility and their rates. He didn't know if Taos had a facility or not.

Councilor Rodgers said Right Express turned out to not be very good for Los Alamos and they went to an RFP for local suppliers.

Mr. Mortillaro agreed that was an option too. They would still end up paying wholesale rates. He asked if Taos County was on the same system.

Mr. Caldwell said they were.

Chair Romero said they could look at other options to be considered at a later date. The goal was to be efficient on either our own or partnering with other entities.

Councilor Rodgers wanted to have that in this motion.

Mr. Campos asked if the RTD would have a mechanic on staff after moving in.

Mr. Mortillaro clarified that the Fleet Manager would administrate the card system. There were changes in the works soon to mitigate any unusual or improper use of the system in the near future.

Mr. Campos said Rio Arriba purchased bulk rate fuel and could not use the card for that. They didn't have the staff to monitor it. Also Right Express took off the tax.

Ms. Muniz said the RTD paid the full rate.

Mr. Mortillaro agreed to check if it was taken out for Rio Arriba County. He said they would have more staff when they moved in to manage it.

He described a sensor system in the vehicles that would provide mileage and type of fuel needed. It eliminated the need to write in the mileage. It could also calculate miles per gallon or any fueling when they were closed.

Councilor Rodgers moved to adopt the policy as presented and to direct staff to explore other options including bulk fuel purchasing or locally provided fuel. Commissioner Trujillo seconded the motion.

Councilor Seeds asked if the RTD already had a card system in place.

Mr. Mortillaro agreed and staff were monitoring it. Ms. Muniz could log on to the system and Mr. Guillen pulled a monthly report.

Mr. Guillen said he audited it on a weekly basis and did random sampling. It took two days for a transaction to appear on the web site. At month end they received an exception report if gas was being dispensed on a weekend or exceeded the normal use of a driver. They also reconciled receipts with the invoice.

The motion passed by unanimous voice vote.

F. Performance Goals and Objectives of the Executive Director for September 2011- June 2012

Chair Romero reminded members that goals and objectives were put in place to evaluate the Executive Director. A smaller group met in Pojoaque (Chair Romero, Councilor Rodgers, Mr. Vigil and Ms. Valério) and evaluated the work before them, made edits and made recommendations for the Board.

Mr. Mortillaro felt the process for goals and objectives was identified well. He put them in 3 categories and went through each of them with the Board.

He pointed out one requested change that the timing for Goal 5 be changed from April to June.

Councilor Rodgers felt this captured their conversation. Ms. Valério agreed.

Commissioner Barrone suggested it would be nice if Mr. Mortillaro could visit all of the member entities in here.

Mr. Mortillaro agreed and pointed out that was in Goal 3, item 3 and also in Goal 9.

Commissioner Holian moved to accept the goals and objectives as presented with Goal 5 changed to June. Councilor Rodgers seconded the motion.

Mr. Bulthuis commented on developing relationships with service providers in the district. There was a greater effort with Rio Metro recently. He didn't know where to put that for Atomic City and Santa Fé Trails.

Mr. Mortillaro suggested it should be under goal 9 to include transit agencies. Mr. Bulthuis agreed.

Commissioner Holian and Councilor Rodgers agreed that was a friendly amendment and the motion passed by unanimous voice vote.

DISCUSSION ITEMS

G. Update of the Jim West Regional Transit Center

Mr. Mortillaro thought they had enough discussion on that and he had nothing else to add. He asked members to give him a call if anyone wanted a tour.

Councilor Seeds asked Mr. Mortillaro if he had considered what to do about staff commuting to Española when the new facility opened.

Mr. Mortillaro said some staff had approached him and he decided not to put in a route to transfer them on a daily basis. He didn't feel he could justify that in light of other requests. If there was a demonstrated need for a Santa Fé to Española early morning route they could look at it. Carpooling was also an option.

Councilor Seeds said any new hire employee would know about it but these were staff who already worked for the agency.

Mr. Campos said there were pockets of employees in Española who come from Santa Fé including the Northern New Mexico Community College so it might be worth finding out.

Mr. Mortillaro said the investigation would be done but as far as he knew, in the service plan there was not a route like that included. Another option would be where people pool their resources to use a common vehicle for a shared cost. If they could determine what demand there might be he could bring it back to the Board and could have Ms. Trujillo do some outreach to look at that. That would have to be weighed against other demands in other areas.

H. Financial Report for January 2012

Ms. Muniz presented the financial report. The budget was now built on anticipated transactions and showed comparison with last year. She explained further how she formatted the report. She also added an overall budget report and behind it administrative, operations and capital sections.

Mr. Campos asked about the green negatives on the report and Ms. Muniz explained it was when they overspent for a particular month.

I. Finance/Regional Coordination & Consolidation Subcommittee Report

Mr. Mortillaro presented the report. They met last week and there were four members present. The topic was on budget adjustments, para-transit services that the Board just acted on and revision of personnel rules and regulations. The personnel procedures were adopted in 2007 and not had modifications since then although rules and regulations had some changes.

One of main changes was on sick leave provisions. Ms. Muniz reviewed use of sick leave for 2009, 2010 and 2011. In 2010 we had about 95% utilization. The following year it was 73% and year to date about 65%. That seemed high so he proposed a sick leave incentive program. We have just reviewed the legal implications for the incentive proposal. He anticipated a lot of discussion on it as the Subcommittee brought it forward.

Mr. Bulthuis commented that sick leave for transit providers was unique. They could not leave the "office" vacant and had to have someone fill it.

Chair Romero said the Board's role was to give Mr. Mortillaro direction on policy recommendations. It was time to update it.

Mr. Mortillaro clarified that once the subcommittee got through it and settled on the changes, they would then present it to an employee representative group for input as well. They could then inform their

coworkers. There were concepts in it that were premature to publicize until the subcommittee decided on a recommendation for the board. Their next meeting was Friday, February 17 at 9:00.

Mr. Dwyer said it wasn't just that the personnel policy was five years old but that the Board used a model that was not a perfect fit for the RTD. Things needed to be tweaked to fit.

J. Executive Report for January 2012 and Comments from the Executive Director

Mr. Mortillaro said in addition to his written report, this week they had FTA reviewers out for financial management oversight. They spent Tuesday through Thursday with staff and it had been very beneficial. They would identify things the RTD could do better or shouldn't be doing to help us come into alignment with FTA requirements.

Ms. Muniz added that auditors would be coming week after next and would have more procedures and policies to revise.

Mr. Mortillaro said the NMDOT Inspector General was auditing them also. They received a complaint that the RTD didn't use the federal dollars appropriately.

Ms. Muniz said the auditor was pulling four years of records - from the time when we took over from the City of Santa Fé (FY 2008). The Inspector General seemed pleased with what she had seen so far.

Mr. Mortillaro said that meant five audits in the same year.

Regarding the Edgewood route he said it was a very popular route and there were times when the riders couldn't get on because the vehicle was full. The RTD had the ability to use a larger vehicle but there was not money in the budget to cover the costs for CDL training for the rider/driver. The City of Santa Fé has expressed willingness to pay for those associated costs. So they could possibly get a larger bus by the end of March.

Commissioner Holian noted that Commissioner Anaya was sponsoring another $10,000 from Santa Fé County for that purpose.

Mr. Mortillaro said they had a 14 passenger vehicle and drivers must have a CDL for 15 plus driver.

MATTERS FROM THE CHAIRWOMAN

Chair Romero noted that Mr. Guillen would be retiring soon.

Mr. Guillen said February 29th was the date.

Chair Romero wished him well.

Mr. Mortillaro said Mr. Guillen would attend the March meeting.

Chair Romero thanked to Rio Arriba and Taos counties for allowing their County Managers to attend this meeting. It was great to have them.

She felt having subcommittees helped the Board work better. This was a helpful pattern. Finance Committee leadership was set as Mr. Vigil stepped up and it would require a structure that was more sound. It had sometimes been inconsistent in the past.

She promised to come back to revisit when the Board met in the new building. The Santa Fé Mayor was interested in serving on this board so it might be David Coss.

She and Mr. Mortillaro met with the Rio Metro Board on Monday and had a positive response with civil ideas. They might change bylaws to accommodate the NCRTD.

Mr. Mortillaro reminded them that this Board passed a resolution requesting a voting seat on the Rio Metro Board and shortly after that received a response that invited us to a board meeting. He was there as was Jon Bulthuis and we expressed our desire to have a more prominent role at board meetings.

The challenge was the structure that was set up. They were amenable to having an ex officio position and working on changes to by-laws. So even without a vote, the NCRTD would have a seat on that board.

The other thing discussed was their finance committee. They didn't have one now but hopefully would proactively work on one to avert the crisis of last summer and the uproar created by their addressing it.

Lastly they talked about opportunities for partnering on marketing - to have a ski rail runner to the ski areas and how they could identify such a program and utilize the Rail Runner to achieve that. Cultural visits and others were also discussed.

MATTERS FROM THE BOARD

There were no other matters from the Board.

MISCELLANEOUS

There were no miscellaneous items to consider.

NEXT BOARD MEETING: March 2, 2012 at 1:00 p.m.

ADJOURN

Having completed the agenda and with no further business to come before the Board the meeting was adjourned at 3:00 p.m. The March meeting would meet in Santa Fé.

Approved by:

Rosemary Romero, Chairwoman

Attest:

Geoff Rodgers, Secretary

Submitted by:

Carl Boaz, Stenographer